

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office APR 23 2002

Returned to applicant for correction _____

Corrected application filed _____

Map filed APR 01 2002 under 62937

The applicant **Lyon County c/o Lyon County Utilities** hereby makes application for permission to change the **Point of Diversion, Place and Manner of Use of a portion** of water heretofore appropriated under **Permit 48489**

1. The source of water is **Underground**
2. The amount of water to be changed **0.97 cfs, 186.0 acre-feet per annum**
3. The water to be used for **Quasi-Municipal**
4. The water heretofore permitted for **Irrigation and Domestic**
5. The water is to be diverted at the following point **SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12, T.16 N., R.21 E., MDM, or at a point from which the SW corner of said Section 12 bears 68°31'29" West, a distance of 476.97 feet**
6. The existing permitted point of diversion is located within **SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31, T.17 N., R.22 E., MDB&M, or at a point from which the SW corner of said Section 31 bears South 44°27'16" West, 1561 feet**
7. Proposed place of use **Please refer to Exhibit "A"**
8. Existing place of use **Portion SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31 T.17 N., R.22 E., MDB&M, and portion NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 6, T.16 N., R.22 E., MDB&M. 9.0 acres to remain appurtenant to portion SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31, T.17 N., R.22 E., MDB&M.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **a drilled and cased well, equipped with a motor, pump, meter and municipal distribution system**
12. Estimated cost of works **in excess of \$100,000.00**
13. Estimated time required to construct works **Completed**
14. Estimated time required to complete the application of water to beneficial use **10 years**

15. Remarks: See Attached

Brian A Randall, Resource Concepts, Inc.
By s/ Brian A. Randall
340 North Minnesota Street
Carson City, Nevada 89703

Compared sg/ cmf ag/ cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, manner of use and place of use of a portion of the waters of an underground source as heretofore granted under Permit 48489 is issued subject to the terms and conditions imposed in said Permit 48489 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 49483; 49486, Certificate 14718; 50361; 56593, Certificate 14706; 58931; Certificate 14719; 58932; 58933, Certificate 14720; 58934; 62937, 62938, Certificate 15662; 62939, 62940, 63626, 63628, 63630, 63632, 63633, 64128, 64782, 64783, 64784, 64785, 64957, 66427, 68155, 68156, 68196, 68197, 68198, 68708, 68737, 69243, 69244, 69245, 70040, 70041 and 70042 shall not exceed 6684.07 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The permittee shall report to the State Engineer on a quarterly basis the effect of pumping the well under this permit on other previously existing wells that are located within 2,500 feet of the well under this permit.

Any pumping of water under this permit may be limited or prohibited to prevent any unreasonable adverse effects on an existing domestic well located within 2,500 feet of the well under this permit, unless the holder of this permit and the owner of the domestic well have agreed to alternative measures that mitigate adverse effects.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.97 cubic feet per second, but not to exceed 186.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use on or before:

January 13, 2009

Proof of the application of water to beneficial use shall be filed on or before:

February 13, 2009

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 27th day of February, A.D. 2004



State Engineer

Completion of work filed September 3, 1998 under 62937

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

Question #7 - Proposed Place of Use:

T. 16 N., R. 21 E., M.D.B. & M.:

All of Section 1; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2; All of Section 11; SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, portion of the W $\frac{1}{2}$ NE $\frac{1}{4}$, portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, portion of the E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 12; Portion of the W $\frac{1}{2}$ NW $\frac{1}{4}$, portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, portion of the N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 13; E $\frac{1}{2}$, Section 14; SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$, Section 23; N $\frac{1}{2}$ Section 24; Portion of the NW $\frac{1}{4}$, Section 26; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27; E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 28; NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 33; N $\frac{1}{2}$ NW $\frac{1}{4}$, Section 34.

T. 16 N., R. 22 E., M.D.B. & M.:

All of Section 3; N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4; N $\frac{1}{2}$, Section 5; NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, portion of the S $\frac{1}{2}$ NE $\frac{1}{4}$, portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, portion of the S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 6; W $\frac{1}{2}$ W $\frac{1}{2}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9; NW $\frac{1}{4}$ Section 16; All of Section 17; S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 18; All of Section 19.

T. 17 N., R. 21 E., M.D.B. & M.:

SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36.

T. 17 N., R. 22 E., M.D.B. & M.:

S $\frac{1}{2}$ of Section 29; SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 30; portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$, Section 31; N $\frac{1}{2}$ N $\frac{1}{2}$, portion of the S $\frac{1}{2}$ NE $\frac{1}{4}$, portion of the N $\frac{1}{2}$ SE $\frac{1}{4}$, portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32; S $\frac{1}{2}$ S $\frac{1}{2}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 33; SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 34.

ATTACHMENT TO APPLICATION TO CHANGE PERMIT 48489**Item 15. Remarks**

Use the map filed under Permit 62937 to support the proposed Point of Diversion and under Application 68155 to support the proposed Place of Use.

This application is filed to remove water rights from 16.4 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31, T.17 N., R.22 E., on which culture can now be maintained through irrigation with treated effluent from the Lyon County North Dayton Valley wastewater treatment facility, in accordance with the Wastewater Discharge Permit issued by the Nevada Division of Environmental Protection for effluent disposal.

This application also removes water rights from ^{an additional} 30.1 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 6, T.16 N., R.22 E. Lyon County now intends to reduce future buildout treatment capacity requirements for the North Dayton Valley plant, to be replaced by expansion of the County's Rolling "A" plant. Therefore, this 30.1 acres will not be required for effluent disposal, as had originally been intended. ^{SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 31, T.17 N., R.22 E., and} ^{additional}